

REMARKS

Claims 1 and 8-18 are pending in the application.

By the foregoing Amendment, claim 1 is amended to better define the invention relative to the prior art. Claims 2-7 are cancelled without prejudice or disclaimer. New claims 8-18 are added. The amendments to claim 1 and the subject matter of claims 8-18 are supported by Table 1 and the description at page 8, lines 13-18 and page 9, line 10 to page 10, line 2 of the present application.

These changes are believed not to introduce new matter, and entry of the Amendment is respectfully requested.

Based on the above Amendment and the following Remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

Rejections under 35 U.S.C. §§ 102 and 103

On page 2 of the Office Action, claims 1-3 and 7 were rejected under section 102(b) as anticipated by or, in the alternative, under section 103(a) as obvious over Lippey. This rejection is overcome by the amendment of claim 1 and the cancellation of claims 3 and 7.

As recited in amended claim 1, the present invention is directed to a fabric woven from noble metal filament in which at least one of warp and weft is made of gold alloy metal monofilament that is 0.12 to 6.5 N in tensile strength and has a diameter of 70 micrometers or less, wherein the gold alloy contains at least 99.7% gold and a trace of an element chosen from the group consisting of gadolinium and calcium.

The significantly smaller diameters of the monofilaments, in combination with their tensile strength and their composition (gold alloy contains at least 99.7% gold and a trace of an element chosen from the group consisting of gadolinium and calcium) as recited in claim 1 provides very advantageous and unexpected results in the woven fabric. As discussed in the present application at page 2, lines 16-22 and at page 7, lines 5 *et seq.*, the woven fabric has improved elasticity, permitting it to be sewn like conventional woven fabrics of silk and cotton, making it suitable for use in apparel and in garniture designs. The woven fabric also semi-permanently retains its original luster and beauty; and the noble metal can be reclaimed from the woven fabric and recycled.

Exhibits A and B are submitted herewith as evidence that the woven fabric in accordance with claim 1 does in fact possess the remarkable and unexpected properties described in the present application.

Lippey discloses a lattice of gold wires preferably having diameters less than 0.003 inch (0.008 cm or 76.2 micrometers) and more preferably, about 0.001 inch (0.002 cm or 25.4 micrometers). The wire can be pure gold or a gold alloy. Lippey does not teach or suggest the specific alloy recited in claim 1, “gold alloy contains at least 99.7% gold and a trace of an element chosen from the group consisting of gadolinium and calcium.”

In addition, claim 2 recites that “the noble metal monofilament is 1.5% or above in elongation percentage.” Inasmuch as Lippey does not teach or suggest that the gold filament is gold alloy containing at least 99.7% gold and a trace of an element chosen from the group consisting of gadolinium and calcium, as recited in claim 1, there can be no presumption that the gold filaments taught by Lippey have the elongation percentage recited in claim 2.

In view of the foregoing, it is respectfully submitted that the invention recited in claim 1, and in claim 2 depending therefrom, is patentable over Lippey, and that the rejection should be withdrawn.

New claims 8-18

New claim 8 recites a fabric woven from noble metal filament in which at least one of warp and weft is made of gold alloy metal monofilament that has a diameter of 30 to 70 micrometers, wherein the gold alloy contains at least 99.7% gold and a trace of an element chosen from the group consisting of gadolinium and calcium. The invention as recited in claim 8 is believed to be patentable over the prior art of record for substantially the same reasons as amended claim 1.

New claim 9 recites a fabric woven from noble metal filament in which at least one of warp and weft is made of gold alloy metal monofilament that is 0.12 to 6.5 N in tensile strength and has a diameter of 70 micrometers or less, and wherein the warp and weft monofilaments are different from each other in at least one of material and diameter; and new claim 10 recites a fabric woven from noble metal filament in which at least one of warp and weft is made of gold alloy metal monofilament that has a diameter of 30 to 70 micrometers, and wherein the warp and weft monofilaments are different from each other in at least one of material and diameter. Lippey does not teach or suggest monofilaments that are different from each other in at least one of material and diameter. Therefore, the invention as recited in claims 9 and 10 is believed to be patentable over Lippey and the other prior art of record.

New claim 11 recites an article of apparel made at least in part of a fabric woven from noble metal filament in which at least one of warp and weft is made of gold alloy metal monofilament that is 0.12 to 6.5 N in tensile strength and has a diameter of 70 micrometers or less; and new claim 13 recites an article of apparel made at least in part of fabric woven from noble metal filament in which at least one of warp and weft is made of gold alloy metal monofilament that has a diameter of 30 to 70 micrometers. Lippey is directed to a process for attaching large area silicon-backed chips to gold-coated surfaces, the lattice 16 of gold wires being used to attach the silicon chip 10 to a gold coating 12 on a substrate 14. Lippey does not teach or suggest using the lattice 16 of gold wires for an article of apparel as recited in claims 11 and 13. Therefore, the invention as recited in claim 11, claim 12 depending from claim 11, claim 13, and claim 14 depending from claim 13, is believed to be patentable over Lippey and the other prior art of record.

New claims 12 and 14 depending respectively from claims 11 and 13 recite that the gold alloy contains at least 99.7% gold and a trace of an element chosen from the group consisting of gadolinium and calcium, as also recited in amended claim 1. The invention as recited in claims 12 and 13 is believed to be patentable over Lippey for the reason discussed above with respect to amended claim 1.

New claim 15 recites an article of garniture made at least in part of a fabric woven from noble metal filament in which at least one of warp and weft is made of gold alloy metal monofilament that is 0.12 to 6.5 N in tensile strength and has a diameter of 70 micrometers or less; and new claim 17 recites an article of garniture made at least in part of fabric woven from noble metal filament in which at least one of warp and weft is made of gold alloy metal monofilament that has a diameter of 30 to

70 micrometers. Lippey does not teach or suggest using the lattice 16 of gold wires for an article of garniture as recited in claims 15 and 17. Therefore, the invention as recited in claim 15, claim 16 depending from claim 15, claim 17, and claim 18 depending from claim 17, is believed to be patentable over Lippey and the other prior art of record.

New claims 16 and 18 depending respectively from claims 15 and 17 recite that the gold alloy contains at least 99.7% gold and a trace of an element chosen from the group consisting of gadolinium and calcium, as also recited in amended claim 1. The invention as recited in claims 16 and 18 is believed to be patentable over Lippey for the reason discussed above with respect to amended claim 1.

Conclusion

All rejections have been complied with, properly traversed, or rendered moot. Thus, it now appears that the application is in condition for allowance. Should any questions arise, the Examiner is invited to call the undersigned representative so that this case may receive an early Notice of Allowance.

Favorable consideration and allowance are earnestly solicited.

Respectfully submitted,

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